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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/728,132	12/04/2003	Peter J. Hopper	100-23700 (P05749)	8876
33402	7590	08/18/2006		EXAMINER
				NHU, DAVID
			ART UNIT	PAPER NUMBER
			2818	

DATE MAILED: 08/18/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/728,132	HOPPER ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	David Nhu	2818	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### **Status**

1) Responsive to communication(s) filed on 20 April 2006.  
 2a) This action is **FINAL**.                    2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### **Disposition of Claims**

4) Claim(s) 1-27 is/are pending in the application.  
 4a) Of the above claim(s) 16-24 is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_\_ is/are allowed.  
 6) Claim(s) 1-15, 25-27 is/are rejected.  
 7) Claim(s) \_\_\_\_\_ is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### **Application Papers**

9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### **Priority under 35 U.S.C. § 119**

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.



#### **Attachment(s)**

1) Notice of References Cited (PTO-892)  
 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)  
 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
 Paper No(s)/Mail Date 2/13/04.

4) Interview Summary (PTO-413)  
 Paper No(s)/Mail Date. \_\_\_\_\_.  
 5) Notice of Informal Patent Application (PTO-152)  
 6) Other: \_\_\_\_\_.

## DETAILED ACTIONS

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

2. Claims 1-15, 25-27 are rejected under 35 U.S.C. 102(e) as being anticipated by Yamaguchi et al (6,525,375 B1).

Regarding claim 1, Yamaguchi, (see figures 1-10, col. 5, lines 60-67, col.6-13, lines 1-67), teaches a transistor comprising: a first region 1 of a first conductivity n-type; a second region 2 of a second conductivity p-type that lies over the first region; a third region 3 of the first conductivity n-type that contacts the second region, the third region being spaced apart from the first region; and a fourth region 8 of the second conductivity p-type that contacts the third region, the fourth region being spaced apart from the second region (see figures 1, 4-10).

Regarding claim 2, Yamauchi, (see figure 15), also teaches a trench 5 extends from a top surface of fourth region through fourth region, the third region, and partially into second region ; a layer of insulation material 6 that contacts the trench; and a conductive gate region 7 that contacts the layer of insulation material and fills the trench.

Regarding claims 3, Yamaguchi teaches the conductive gate region is a region of doped polysilicon 7 (see figures 1, 2).

Regarding claim 4, Yamaguchi teaches the first, second, third, and fourth regions have a crystallographic orientation (see figures 1).

Regarding claims 5, 6, Yamaguchi teaches a plug 7 that is formed through the first region to contact the second region (see figures 1); wherein the plug is metallic.

Regarding claims 7, 14, Yamaguchi also teaches a layer of isolation material that contacts a top surface of the fourth region, the layer of insulation material 6, and the conductive gate region 8; a gate contact formed through the layer of isolation material to make an electrical connection with the conductive gate region; and a drain 4 contact formed through the layer of isolation material to make an electrical connection with the fourth region (see figure 1).

Regarding claims 8, Yamaguchi teaches an isolation layer that contacts the first and second regions (see figure 1).

Regarding claim 9, Yamaguchi teaches a plurality of trenches 6 that extend from a top surface of fourth region through the fourth region, the third region, and partially into second region; a plurality of insulation layers that contact the plurality of trenches such that each trench has an insulation layer; and a plurality of conductive gate regions that contact the plurality of insulation layer and fill up the trenches (see figures 1, 4-10).

Regarding claim 10, Yamaguchi teaches the plurality of conductive gate regions 8 are regions of doped polysilicon (see figures 1).

Regarding claim 11, Yamaguchi teaches the first, second, third, and fourth regions have a crystallographic orientation (see figures 1).

Regarding claims 12, 13, Yamaguchi also teaches a plug that is formed through the first region to contact the second region (see figures 1), wherein the plug is metallic.

Regarding claim 15, Yamauchi teaches an isolation layer that contacts the first and second regions (see figures 1).

Regarding claims 25-26, Yamaguchi, (see figures 1, 2), teaches the isolation layer lies between the first and second regions, and is spaced apart from the plurality of insulation material, the third region, and the fourth region m, wherein the plug 7 is conductive and lies below two or more the plurality of trenches 5.

### **Conclusion**

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure: Kawase'1533 A1 are cited as of interest.
4. A shortened statutory period for response to this action is set to expired 3 (three) months and 0 (zero) day from the date of this letter. Failure to respond within the period for response will cause the application to become abandoned (see 710.02 (b)).
5. Any inquiry concerning this communication on earlier communications from the examiner should be directed to David Nhu, (571)272-1792. The examiner can normally be reached on Monday-Friday from 7:30 AM to 5:00 PM. *The fax phone number for the organization where this application or proceeding is assigned is (571)273-8300.*

*Information regarding the status of an application may be obtained from the patent application information retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR*

system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

David Nhu 



August 14, 2006